

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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March 15, 2013

The Honorable Fred Upton  
Chairman  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Ed Whitfield  
Chairman  
Subcommittee on Energy and Power  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Upton and Chairman Whitfield:

On March 5, 2013, the Subcommittee on Energy and Power held the first in a series of hearings, entitled "The Role of a Diverse Electricity Generation Portfolio." Notwithstanding the title, a dominant focus of testimony and questions at that hearing was climate change.

Because the Environmental Protection Agency's (EPA) proposed greenhouse gas standards for new power plants featured prominently in the written testimony for the hearing, Rep. Waxman requested that the Subcommittee hold an additional hearing with scientists and other experts who can explain why so many recognize that taking action to address the threat of climate change is urgent. We are writing to reiterate this request.

In his opening statement at the hearing, Chairman Whitfield stated: "We have greenhouse gas regulations that will not allow you to build a new coal-powered plant in America if they are finalized, and now they are thinking about applying that to existing [power plants]." He also claimed: "Coal is being taken out of the national fuel mix and EPA is methodically establishing a regulatory framework to dramatically reduce fossil fuel use throughout the economy." Rep. Scalise's opening statement referred to the Administration "attacking" the 37% of electricity generated by coal.

In his testimony, American Electric Power's (AEP) Executive Vice President asserted: "the proposed CO2 NSPS for new sources effectively prohibits the construction of any new coal-fired power plant because of a lack of commercially available CO2 control technology."

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Similarly, the witness from the Nebraska Public Power District stated: "many of us are concerned coal is going to be taken out as a fuel option."

This theme continued in questions from the Republican members of the Subcommittee. Chairman Whitfield asked whether AEP would be able to build a supercritical coal plant under EPA's proposed greenhouse gas rule. He then argued: "we do know that there is a concerted effort by groups, individuals and others in the country to eliminate some fossil fuels from being used for generating electricity." In his questions, Rep. Barton stated: "You are not going to build a coal plant with those regulations. ... I think it is a little bit disingenuous to say that they are fuel neutral. They are not." Rep. Shimkus argued that under EPA's greenhouse gas rule, supercritical coal plants "may not be able to operate." Rep. Cassidy stated: "I think there is a push either through carbon tax or through EPA regulation or through a variety of other mechanisms to remove fossil fuel from its relative portion of our balance." Rep. McKinley questioned whether climate change was caused by human activity. While questioning the utility witnesses, he said: "I believe there is global warming and climate change occurring. But my question to you though is, is it manmade?"

During the hearing, Rep. Waxman requested that Chairman Whitfield schedule an additional hearing in this series to ensure that the Subcommittee hears all sides of the issue. While the Committee has provided a venue for regulated entities to complain about regulations to curb greenhouse gases, we have not held any hearings on recent scientific reports and technical analyses that explain why it is so important that we reduce our greenhouse gas emissions.

We respectfully request that you work with us to schedule such a hearing and select knowledgeable witnesses. Utilities offer valuable perspectives on issues facing the electricity sector and EPA's proposed rule. But since EPA's proposed carbon pollution standards are a major focus of these hearings, we also need to hear from the scientists and technical experts who can inform the Subcommittee about the dangers of man-made climate change and the closing window for effective action. Members of the Subcommittee should have an opportunity to hear about the latest developments in climate change science and understand the arguments in favor of EPA action to address climate change.

Sincerely,



Henry A. Waxman  
Ranking Member



Bobby L. Rush  
Ranking Member  
Subcommittee on Energy and  
Power